

REMARKS

In an Office Action dated August 18, 2009, the Examiner requires restriction to one of the following allegedly distinct inventions:

- (1) claims 43-61, 81, 83, and 84 directed to a beverage extraction cartridge;
- (2) claims 62, 85, and 86 drawn to an extraction cartridge having a porous disc;
- (3) claims 63-72, 87, and 88 concerning an extraction cartridge having a valve on a cup part; and
- (4) claims 73-80, 82, 89, and 90 drawing to an extraction cartridge having a tappet.

The Examiner requires election for continued examination.

In reply, Applicant hereby elects group (3) inclusive of claims 63-72, 87, and 88, without traverse. Accordingly, claims 43-62; 73-86; and 89-90 are herein withdrawn. Applicant reserves the right to pursue these withdrawn claims in a related divisional application without prejudice with respect to the present election.

Applicant hereby petitions under 37 C.F.R. 1.136 for any extension of time necessary for entry and consideration of the present reply.

Any fees due with respect to this application may be charged to deposit account no. 06-1130 maintained by Applicant's attorney.

The Office is invited to contact Applicant's attorney at the below-listed telephone number regarding this reply or otherwise concerning the present application.

Respectfully submitted,

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